

ZONING ORDINANCE NO. Z-10-74

AN ORDINANCE amending Section 8,  
Article II of Chapter 36 of the  
Municipal Code of the City of Fort  
Wayne, Indiana pertaining to Parking  
Area Improvement.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA:

SECTION 1. Section 8D of Article II of the Fort  
Wayne Municipal Code, Chapter 36, is hereby repealed and in  
lieu thereof a new Section 8D of Article II of the Fort Wayne  
Municipal Code, Chapter 36 is hereby enacted as follows:

Section 8 - General Use Provision

D. Parking area improvement.

(1) The Board of Public Works of the City of Fort  
Wayne is hereby authorized and required to prescribe minimum  
specifications for paving, surfacing, drainage of all land  
used for off-street parking, whether required by this Chapter  
or otherwise, and all driveways thereto.

(2) All land which is hereafter placed in use for  
off-street parking and all driveways thereto, and all land  
which has been put to such use since on or after December 3,  
1969, and which is hereafter to be used for off-street  
parking, shall be paved or surfaced and shall be drained with  
materials and in a manner which meets the minimum specifica-  
tions and standards for parking lots adopted December 2, 1969,  
by the Board of Public Works of the City of Fort Wayne, and  
any current or future amendments thereto by said Board,  
provided, however, that nothing contained in this paragraph D  
shall be deemed to require the paving of any off-street park-  
ing space or driveway thereto for any dwelling unit. Any  
proposed drainage plan must be approved by the Board of Public  
Works prior to the issuance of any Driveway Access Permit.

(3) All land which is located within the boundaries  
of St. Mary's River on the North, Clay  
Street on the East, Penn Central Railroad on  
the South, and Fairfield Avenue on the West  
in the City of Fort Wayne, Indiana, which has been and/or  
hereafter is used for off-street parking, and all driveways  
thereto, must be paved or surfaced and drained as provided  
in the preceding paragraph.

(4) All land which is hereafter used and has been  
used continuously for off-street parking and for driveways  
thereto, on or prior to December 2, 1969, must be surfaced  
with compacted crushed stone of uniform size and texture of  
not less than three (3) inches depth and in a manner which  
prevents such material from eroding, washing or otherwise  
being deposited on public sidewalks and street rights-of-way.  
Any continuing violation of this paragraph for a period of  
ninety (90) days after notice of such violation has been  
mailed by the Board of Works to the Owner of the land as shown  
on the tax duplicates in the Office of the Assessor of Allen  
County, Indiana, shall constitute a nuisance in violation of  
this chapter, shall be unlawful, and such use shall be subject  
to all penalties provided in this chapter; provided however,  
that nothing contained in this paragraph shall be deemed to  
require the paving of any off-street parking space or driveway  
thereto for any dwelling unit.

1 (5) All land in or adjoining an R or B District  
2 which is hereafter placed in use for off-street parking,  
3 except for any dwelling unit, shall be landscaped to aid in  
4 controlling the circulation of cars and pedestrians, to  
5 identify entrances and exits, and to improve the appearance  
6 of such use to maintain property values in the area and the  
7 following specific landscaping requirements must be satisfied:

8 (a) All open, off-street parking areas shall  
9 provide and maintain shade trees of a  
10 variety hardy to this region and totaling  
11 not less than 1% of the surfaced parking  
12 area. The minimum size tree island  
13 shall not be less than 70 square feet.

14 (b) Screening, consisting of a hedge, wall,  
15 or uniformly painted fence to provide a  
16 visual separator and physical barrier  
17 with maximum height of four feet shall  
18 be provided between said off-street  
19 parking and all R and B areas. These  
20 lots adjacent to a residential district  
21 shall provide screening between such land  
22 and the R district not less than six  
23 feet in height.

24 (c) The total landscaped (green) area for  
25 any parking lot shall not be less than  
26 10% of the gross area developed. The  
27 owner shall be responsible for the per-  
28 petual maintenance of the green space.

29 (6) Set-Backs - All land used for off-street parking  
30 in districts for which front yards are required by this  
31 Chapter shall be located not less than five feet from any  
32 property line abutting on a street; provided, however, that  
33 nothing contained in this Paragraph D shall be deemed to  
34 apply to any off-street parking space or driveway thereto  
35 for any single family dwelling unit. All parking lots shall  
36 have curbings around perimeters at a sufficient location to  
37 keep vehicles from overhanging or encroaching upon abutting  
38 properties, streets, alleys or sidewalks. Curbings are also  
39 to be used to facilitate drainage and insure no discharge of  
40 water onto abutting properties.

41 (7) Lighting - Any light used to illuminate land  
42 used for off-street parking or driveways thereto shall be  
43 installed on private property and maintained so as to reflect  
44 the light away from any adjoining R District. It shall also  
45 be designed to avoid glare into street rights-of-way.

46 (8) Permit - Any person constructing a parking lot  
47 pursuant to the provisions herein after the effective date  
48 of this ordinance shall obtain an improvement violation permit.  
49 Said permit shall be issued after applicant has submitted  
50 evidence that his proposed off-street parking area improvement  
51 shall comply with provisions herein.

52 SECTION 2. In all other respect except as herein  
53 repealed said Section 8, Article II of Chapter 36 of the  
54 Municipal Code of the City of Fort Wayne, Indiana, shall be  
55 in full force and effect.

56 SECTION 3. If any part, parts, section, sections,  
57 provision, clause or portion of this ordinance shall be adjudged  
58 invalid or unconstitutional, such invalidity or unconstitution-  
59 ality shall not affect the validity or constitutionality of  
60 this ordinance as a whole or any part, section, clause, pro-  
61 vision, or portion of this ordinance.



Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 7/24/73

Charles W. Talarico  
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Kraus, and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

AYES 7, NAYS 2, ABSTAINED \_\_\_\_\_, ABSENT \_\_\_\_\_ to-wit:

BURNS	<u>X</u>	<u>X</u>	_____	_____
HINGA	<u>X</u>	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____
MOSES	_____	<u>X</u>	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____

DATE: 5-28-74

Charles W. Talarico  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 3-10-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

Charles W. Talarico  
CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Talarico  
CITY CLERK

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P. M., E.S.T.

Sam H. Frost  
MAYOR



## THE CITY OF FORT WAYNE

office of city plan commission

April 15, 1974

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to a zoning text amendment acted upon by the City Plan Commission at their regular meeting held January 28, 1974. This ordinance was given a "DO PASS" recommendation, after substantial amendments. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-73-07-17 - An ordinance amending Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, pertaining to Parking Area Improvement.

2. Plan Commission recommendation: DO PASS AS AMENDED

This ordinance received a DO PASS AS AMENDED recommendation on the basis of the following:

- a. Debris from certain parking areas was creating a hazard and nuisance on public right-of-ways.
- b. This hazard and nuisance would be alleviated through this proposed zoning text amendment.
- c. The appearance, safety and convenience of the downtown would be enhanced.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Richard S. Wanush*  
Richard S. Wanush  
Senior Planner

RSW:pr

ATT.

RESOLUTION OF ZONING ORDINANCE TEXT AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, referred a proposed zoning text amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-07-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

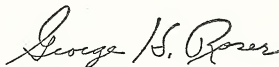
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 15, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance, as amended, DO PASS for the reasons that a need has been shown for the Text of the Zoning Ordinance to be amended, and the amendment will be in the best interest of and benefit to the City of Fort Wayne;

BE IT FURTHER resolved that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 28, 1974.

Certified and signed this  
15th day of April, 1974.



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George H. Roser  
Secretary

Bill of 2003  
not Committee  
Passer

Heald  
9/4/73

Bill No. Z-73-07-17

REPORT OF THE COMMITTEE ON Regulations

We, your Committee on Regulations to whom was referred an Ordinance  
amending Section 8, Article II of Chapter 36 of the Municipal  
Code of the City of Fort Wayne, Indiana pertaining to  
Parking Area Improvement.

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols  
Vivian G. Schmidt  
William T. Hinga  
Paul M. Burns  
DJ Schmidt

Bill No. Z-73-07-17

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending Section 8, Article II of Chapter 36 of the Municipal Code  
of the City of Fort Wayne, Indiana pertaining to Parking Area  
Improvement.

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols  
Vivian G. Schmidt  
William T. Hinga  
Paul M. Burns  
Donald J. Schmidt

DATE 5-28-74 CONCURRED IN  
CHARLES W. WESTERMAN, CITY



*Please note request  
from Board of Works.*



THE CITY OF FORT WAYNE

board of public works

September 10, 1973

To: Members of the Common Council  
City of Fort Wayne

Subject: Bill Z-73-03-17  
Parking Area Improvements

Gentlemen & Ms. Schmidt:

Attached is a suggested revision of the above captioned ordinance.  
We are scheduled to discuss this with you Tuesday, September 11.

In view of your heavy agenda for this evening, the Board respectfully requests that discussion of this proposed revision be deferred when more time is available. Comments by various departments and private groups are anticipated; and, therefore, additional time should be set aside.

Sincerely,

BOARD OF PUBLIC WORKS

*[Handwritten signature of Ronald L. Zeman]*  
*[Handwritten signature of William P. Sullivan]*

irs

cc: Mayor Lebamoff

ZONING ORDINANCE NO. Z-\_\_\_\_\_

AN ORDINANCE amending Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana pertaining to Parking Area Improvement.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 8D of Article II of the Fort Wayne Municipal Code, Chapter 36, is hereby repealed and in lieu thereof a new Section 8D of Article II of the Fort Wayne Municipal Code, Chapter 36, is hereby enacted as follows:

Section 8 - General Use Provisions

D. Parking area improvement.

All open, off-street automobile parking areas except those in residential districts used for single family dwelling units, either created or redesigned and rebuilt subsequent to the adoption of this ordinance shall meet the following requirements:

(1) Paving - The Board of Public Works of the City of Fort Wayne is hereby authorized and required to prescribe minimum specifications for paving and drainage of all land used for off-street parking, where required by this Chapter or otherwise in all driveways thereto. Minimum standards for parking lots adopted December 2, 1969, by the Board of Commissioners of Allen County, Indiana, and the Board of Public Works is attached hereto, made a part hereof and marked Exhibit "A" and shall be in full force and effect until same are revised or modified. All land placed in use for off-street parking and all driveways thereto constructed prior to December 2, 1969, must be surfaced in a sufficient manner to prevent any surface materials (stone, gravel, ashes, dirt, etc.) from eroding or otherwise being deposited on public sidewalks and/or street rights of way. In the event said lots are not adequately surfaced to prevent said erosion of materials into public streets and/or rights of way, the property owners, after notice from the Board of Public Works, shall have 90 days to make corrections. All parking lots within the CBD must comply with prevailing specifications as set forth in Exhibit "A".

(2) Drainage - All land placed in use for off-street parking and all driveways thereto shall be drained with materials and in a manner which shall meet or exceed the minimum specifications prescribed by the Board of Public Works. Said drainage may include, but is not limited to, connection to a storm or combination sewer, open ditch or natural waterway, construction of a retention basin and/or absorption field. The proposed drainage plan must be submitted to and approved by the Water Pollution Control Engineering Department and the Board of Public Works prior to the issuance of the Driveway Access Permit.

(3) Landscaping - Trees and tree islands along with other landscaping within open, off-street parking areas can help control circulation of cars and pedestrians, identify entrances and exits, soften and improve the appearance of parking lots and are a positive asset to the general neighborhood. Following must be provided in all R or B districts:

- a. All open, off-street parking areas shall provide and maintain shade trees of a variety hardy to this region totaling not less than 1% of the surfaced parking area. The minimum size

tree island shall not be less than 70 square feet.

- b. Screening, consisting of a hedge, wall, or fence to provide a visual separator and physical barrier with maximum height of four feet shall be provided in all R and B areas. Those lots adjacent to a residential district shall provide screening not less than six feet in height.
- c. The total landscaped (green) area for any parking lot shall not be less than 10% of the gross area developed. The owner shall be responsible for the perpetual maintenance of the green space.

(4) Set-Backs - All land used for off-street parking in districts for which front yards are required by this Chapter shall be located not less than five feet from any property line abutting on a street; provided, however, that nothing contained in this Paragraph D shall be deemed to apply to any off-street parking space or driveway thereto for any single family dwelling unit. All parking lots shall have curbs around its perimeter at a sufficient location to keep vehicles from overhanging or encroaching upon abutting properties, streets, alleys or sidewalks. Curbs are to be used to facilitate drainage and insure no discharge of water onto abutting properties.

(5) Lighting - Any light used to illuminate land used for off-street parking or driveways thereto shall be installed on private property and maintained so as to reflect the light away from any adjoining R District. It shall also be designed to avoid glare into street rights of way.

(6) Permit - Any person constructing a parking lot pursuant to the provisions herein after the effective date of this ordinance shall obtain from the Board of Public Works or its designee, a parking lot improvement permit. Said permit shall be issued after applicant has submitted evidence that his proposed parking area improvement shall comply with provisions herein.

SECTION 2. In all other respects except as herein repealed said Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, shall be in full force and effect.

SECTION 3. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any part, section, clause, provision, or portion of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

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Councilman

ZONING ORDINANCE NO. Z \_\_\_\_\_

AN ORDINANCE amending Section 8,  
Article II of Chapter 36 of the  
Municipal Code of the City of Fort  
Wayne, Indiana pertaining to Parking  
Area Improvement.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA:

SECTION 1. Section 8D of Article II of the Fort  
Wayne Municipal Code, Chapter 36, is hereby repealed and in  
lieu thereof a new Section 8D of Article II of the Fort Wayne  
Municipal Code, Chapter 36 is hereby enacted as follows:

Section 8 - General Use Provision

D. Parking area improvement.

(1) The Board of Public Works of the City of Fort  
Wayne is hereby authorized and required to prescribe minimum  
specifications for paving, surfacing, drainage of all land  
used for off-street parking, whether required by this Chapter  
or otherwise, and all driveways thereto.

(2) All land which is hereafter placed in use for  
off-street parking and all driveways thereto, and all land  
which has been put to such use since on or after December 3,  
1969, and which is hereafter to be used for off-street  
parking, shall be paved or surfaced and shall be drained with  
materials and in a manner which meets the minimum specifica-  
tions and standards for parking lots adopted December 2, 1969,  
by the Board of Public Works of the City of Fort Wayne, and  
any current or future amendments thereto by said Board,  
provided, however, that nothing contained in this paragraph D  
shall be deemed to require the paving of any off-street park-  
ing space or driveway thereto for any dwelling unit. Any  
proposed drainage plan must be approved by the Board of Public  
Works prior to the issuance of any Driveway Access Permit.

(3) All land which is located within the boundaries  
of \_\_\_\_\_ St. Marys River \_\_\_\_\_ on the North, \_\_\_\_\_ Clay  
\_\_\_\_\_ Street \_\_\_\_\_ on the East, \_\_\_\_\_ Penn Central Railroad \_\_\_\_\_ on  
the South, and \_\_\_\_\_ Fairfield Avenue \_\_\_\_\_ on the West  
in the City of Fort Wayne, Indiana, which has been and/or  
hereafter is used for off-street parking, and all driveways  
thereto, must be paved or surfaced and drained as provided  
in the preceding paragraph.

(4) All land which is hereafter used and has been  
used continuously for off-street parking and for driveways  
thereto, on or prior to December 2, 1969, must be surfaced  
with compacted crushed stone of uniform size and texture of  
not less than three (3) inches depth and in a manner which  
prevents such material from eroding, washing or otherwise  
being deposited on public sidewalks and street rights-of-way.  
Any continuing violation of this paragraph for a period of  
ninety (90) days after notice of such violation has been  
mailed by the Board of Works to the Owner of the land as shown  
on the tax duplicates in the Office of the Assessor of Allen  
County, Indiana, shall constitute a nuisance in violation of  
this chapter, shall be unlawful, and such use shall be subject  
to all penalties provided in this chapter; provided however,  
that nothing contained in this paragraph shall be deemed to  
require the paving of any off-street parking space or driveway  
thereto for any dwelling unit.

1 (5) All land in or adjoining an R or B District  
2 which is hereafter placed in use for off-street parking,  
3 except for any dwelling unit, shall be landscaped to aid in  
4 controlling the circulation of cars and pedestrians, to  
5 identify entrances and exits, and to improve the appearance  
6 of such use to maintain property values in the area and the  
7 following specific landscaping requirements must be satisfied:

8 (a) All open, off-street parking areas shall  
9 provide and maintain shade trees of a  
10 variety hardy to this region and totaling  
11 not less than 1% of the surfaced parking  
12 area. The minimum size tree island  
13 shall not be less than 70 square feet.

14 (b) Screening, consisting of a hedge, wall,  
15 or uniformly painted fence to provide a  
16 visual separator and physical barrier  
17 with maximum height of four feet shall  
18 be provided between said off-street  
19 parking and all R and B areas. These  
20 lots adjacent to a residential district  
21 shall provide screening between such land  
22 and the R district not less than six  
23 feet in height.

24 (c) The total landscaped (green) area for  
25 any parking lot shall not be less than  
26 10% of the gross area developed. The  
27 owner shall be responsible for the per-  
28 petual maintenance of the green space.

29 (6) Set-Backs - All land used for off-street parking  
30 in districts for which front yards are required by this  
31 Chapter shall be located not less than five feet from any  
32 property line abutting on a street; provided, however, that  
33 nothing contained in this Paragraph D shall be deemed to  
34 apply to any off-street parking space or driveway thereto  
35 for any single family dwelling unit. All parking lots shall  
36 have curbings around perimeters at a sufficient location to  
37 keep vehicles from overhanging or encroaching upon abutting  
38 properties, streets, alleys or sidewalks. Curbings are also  
39 to be used to facilitate drainage and insure no discharge of  
40 water onto abutting properties.

41 (7) Lighting - Any light used to illuminate land  
42 used for off-street parking or driveways thereto shall be  
43 installed on private property and maintained so as to reflect  
44 the light away from any adjoining R District. It shall also  
45 be designed to avoid glare into street rights-of-way.

46 (8) Permit - Any person constructing a parking lot  
47 pursuant to the provisions herein after the effective date  
48 of this ordinance shall obtain an improvement violation permit.  
49 Said permit shall be issued after applicant has submitted  
50 evidence that his proposed off-street parking area improvement  
51 shall comply with provisions herein.

52 SECTION 2. In all other respect except as herein  
53 repealed said Section 8, Article II of Chapter 36 of the  
54 Municipal Code of the City of Fort Wayne, Indiana, shall be  
55 in full force and effect.

56 SECTION 3. If any part, parts, section, sections,  
57 provision, clause or portion of this ordinance shall be adjudged  
58 invalid or unconstitutional, such invalidity or unconstitution-  
59 ality shall not affect the validity or constitutionality of  
60 this ordinance as a whole or any part, section, clause, pro-  
61 vision, or portion of this ordinance.



BILL NO. Z-73-0<sup>7</sup>~~7~~-17

ZONING ORDINANCE NO. Z-

AN ORDINANCE amending Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana pertaining to Parking Area Improvement.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 8B of Article II of the Fort Wayne Municipal Code, Chapter 36, is hereby repealed and in lieu thereof a new Section 8 of Article II of the Fort Wayne Municipal Code, Chapter 36 is hereby enacted as follows:

Section 8 - General Use Provisions

D. Parking area improvement.

(1) The Board of Public Works of the City of Fort Wayne is hereby authorized and required to prescribe minimum specifications for paving, surfacing, drainage of all land used for off street parking, where required by this Chapter or otherwise in all driveways thereto; provided however, this Ordinance shall apply only to land put in use for off-street parking and driveways thereto after December 2, 1969. All land placed in use for off street parking and all driveways thereto constructed prior to December 2, 1969 surfaced with compacted crushed stone of uniform design and thickness of not less than 3 inches is acceptable.

(2) All land placed in use for off-street parking and all driveways thereto after December 2, 1969 shall be paved or surfaced and shall be drained with materials and in a manner which meet or exceed such minimum specifications prescribed by said Board of Public Works and adopted; provided, however, that nothing contained in this paragraph D shall be deemed to require the paving of any off-street parking space or driveway thereto for any dwelling unit.

(3) Where such land used for off-street parking adjoins an R District, a solid wall, compact evergreen screen or uniformly painted board fence having a height of not less than 3 feet and not more than 4 feet shall be erected and maintained between such land and such R District.

(4) All land used for off-street parking in districts for which front yards are required by this chapter shall be located not less than five feet from any property line abutting on a street; provided, however, that nothing contained in this paragraph D shall be deemed to apply to any off-street parking space or driveway thereto for any dwelling unit.

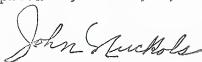


(5) Any light used to illuminate land used for off-street parking or driveways thereto shall be installed and maintained so as to reflect the light away from any adjoining "R" District.

SECTION 2. In all other respects except as herein repealed said Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana shall be in full force and effect.

SECTION 3. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any other part, section, clause, provision, or portion of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.



Councilman

Approved as to form and legality  
this 23<sup>rd</sup> day of April, 1973.

  
Attorney for Common Council





## City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Ron Bonar - Board of Works Date May 14, 1974  
From Charles W. Westerman - City Clerk  
Subject Appearance before Common Council - May 21, 1974

COPIES TO:

RE: BILL NO. Z-73-07-17

AN ORDINANCE amending Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana pertaining to Parking Area Improvement.

Your presence is requested on May 21, 1974, at 7:30 o'clock P.M., Room 124, by the members of the Common Council and John Nuckols, Chairman of the Standing Committee of Regulations, in regard to the above bill.

It is also requested that you bring along any materials or information that you may have which will help the Council in its decision regarding the above bill.

Charlie

DIGEST SHEET

3-73-07-17.  
*Regulations*

TITLE OF ORDINANCE AN ORDINANCE amending Section 8, Article II of Chapter 36  
of the Municipal Code of the City of Fort Wayne, Indiana pertaining to  
Parking Area Improvement.

DEPARTMENT REQUESTING ORDINANCE Common Council

SYNOPSIS OF ORDINANCE A new Section 8D of Article II of Fort Wayne Municipal Code

lots  
in lieu of present Section to require off-street parking and driveways  
for public use

to be paved or surfaced according to specifications of Board of Works.

EFFECT OF PASSAGE Save the City of Fort Wayne drainage and sewer maintenance  
and drainage problems.

EFFECT OF NON-PASSAGE City will continue to have aforementioned problems  
along with spending time, energy and money sweeping streets.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \_\_\_\_\_

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN  
CITY CLERK

May 31, 1974

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of June <sup>5</sup>~~6~~ and June <sup>12</sup>~~10~~, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana regarding  
Bill No. Z-73-07-17  
Zoning Ordinance No. Z-10-74  
(Pertaining to Parking Area  
Improvement)

Please send us six (6) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

*Charles W. Westerman*  
Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 1

Notice is hereby given that on the 28th day of May, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-12-74 following 2-10-74 Ordinance, to-wit:

BILL NO. 2-12-74  
ZONING ORDINANCE NO. 2-10-74  
AN ORDINANCE amending Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana pertaining to Parking Area Improvement.  
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:  
SECTION 1. Section 8D of Article II of the Fort Wayne Municipal Code, Chapter 36, is hereby repealed and the Municipal Code, Chapter 36 is hereby enacted as follows:

Section 8-General Use Provision

(1) The Board of Public Works of the City of Fort Wayne is hereby authorized and required to prepare minimum specifications for paving, surfacing, drainage of all land used for off-street parking, whether required by this chapter or otherwise, and driveways thereto.  
(2) All land which is hereafter placed in use for off-street parking and all driveways thereto, and all land which has been put to such use since on or after December 3, 1969, and which is hereafter to be used for off-street parking, shall be paved or surfaced and shall be drained with materials and in a manner which meets the minimum specifications and standards for parking sets adopted December 2, 1969, by the Board of Public Works of the City of Fort Wayne, and any current or future amendments thereto by said Board to provide however, that nothing contained in this chapter shall be deemed to require the paving of any off-street parking space or driveway thereto.  
Any proposed drainage plan must be approved by the Board of Public Works prior to the issuance of any Driveway Access Permit.

(3) All land which is located within the boundaries of St. Mary's River on the North, Clay Street on the East, Penn Central Railroad on the South, and Fairfield Avenue on the West in the City of Fort Wayne, Indiana, which has been and/or hereafter is used for off-street parking, and all driveways thereto, must be paved or surfaced and drained as provided in the preceding paragraph.

(4) All land which is hereafter used and has been used continuously for off-street parking and for driveways thereto, on or prior to December 2, 1969 must be surfaced with compacted crushed stone of uniform size and texture of not less than three (3) inches depth and in a manner which prevents such material from eroding, washing or otherwise being deposited on public sidewalks and street rights-of-way. Any continuing violation of this paragraph for a period of ninety (90) days after notice of such violation has been mailed by the Board of Works to the Owner of the land as shown on the tax duplicates in the Office of the Assessor of Allen County, Indiana, shall constitute a nuisance in violation of this chapter, shall be unlawful, and such use shall be subject to all penalties provided in this chapter; provided however, that nothing contained in this paragraph shall be deemed to require the paving of any off-street parking space or driveway thereto for any dwelling unit.

(5) All land in or adjoining an R or B District which is hereafter placed in use for off-street parking, except for any dwelling unit, shall be landscaped to aid in controlling the circulation of cars and pedestrians, to identify entrances and exits, and to improve the appearance of such use to maintain property values in the area and the following specific landscaping requirements must be satisfied:

(a) All open, off-street parking areas shall provide and maintain shade trees of a variety hardy to this region and totaling not less than 1 per cent of the surfaced parking area. The minimum size tree island shall not be less than 70 square feet.

(b) Screening, consisting of a hedge, wall, or uniformly pointed fence to provide a visual separator and physical barrier with maximum height of four feet shall be provided between said off-street parking and all R and B areas. These lots adjacent to a residential district shall provide screening between such land and the R district not less than six feet in height.

(c) The total landscaped (green) area for any parking lots shall not be less than 10 per cent of the gross area developed. The owner shall be responsible for the perpetual maintenance of the green space.

(d) Set-backs - All land used for off-street parking in districts for which front yards are required by this Chapter shall be located not less than five feet from any property line abutting on a street; provided however, that nothing contained in this Paragraph D shall be deemed to apply to any off-street parking space or driveway hereafter for any single family dwelling unit. All parking lots shall have curbing around perimeters at a sufficient location to keep vehicles from overhanging or encroaching upon abutting properties, streets, alleys or sidewalks. Curbing are also to be used to facilitate drainage and insure no discharge of water onto abutting properties.

(7) Lighting - Any light used to illuminate land used for off-street parking or driveways thereto shall be installed on private property and maintained so as to reflect the light away from any adjoining R District. It shall also be designed to avoid glare into street rights-of-way.

(8) Permit - Any person constructing a parking lot pursuant to the provisions hereafter the effective date of this ordinance shall obtain an improvement violation permit. said permit shall be issued after applicant has submitted evidence that this proposed off-street parking area improvement shall comply with provisions herein.

SECTION 2. In all other respect except as herein repeated said Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, shall be in full force and effect.

SECTION 3. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be declared invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any part, section, clause, provision, or portion of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

John Nickols

Councilman

Read the third time in full and on motion by Nickols, seconded by Kraus, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Seven  
Hinos, Kraus, Nickols, D. Schmidt, V. Schmidt, Siler, Talarico

Nays: Two  
Burns, Moses

Date: 5-28-74

Charles W. Westerman

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-12-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

Charles W. Westerman

City Clerk

Samuel J. Talarico

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of May, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman

City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 2:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Ordinance No. 2-12-74 passed by the Common Council on the 28th day of May, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 28th day of May, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of May, 1974.

CHARLES W. WESTERMAN

CITY CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana

County of ALLEN ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V.E. Gerken who, being duly sworn, says that S/he is Clerk

NEWS-SENTINEL

DAILY

newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being as follows:

6/5-12/74

Subscribed and sworn to before me this 12th day of June 1974

Edith Stapleton

Notary Public

My commission expires March 11, 1978

Common Council of Ft. Wayne  
(Governmental Unit)To NEWS-SENTINEL Dr.Allen

County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head number of lines

208

Body number of lines

2

Tail number of lines

210

Total number of lines in notice

## COMPUTATION OF CHARGES

210 lines, 1 columns wide equals 210 equivalent lines at .288¢  
cents per line \$ 60.48

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 62.48

## DATA FOR COMPUTING COST

Width of single column 11 emsSize of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 12, 19 74Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ssPersonally appeared before me, a notary public in and for said county and state, the undersigned V.E. Gerken who, being duly sworn, saysthat he is Clerk of theNEWS-SENTINELa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for twotime 8 days, the dates of publication being as follows:6/5-12/74Subscribed and sworn to before me this 12th day of June, 19 74

Notary Public

My commission expires March 11, 1978

able for the perpetual maintenance of the green space.  
(6) Set-backs — All land used for off-street parking in districts for which front yards are required by this Chapter shall be located not less than five feet from any property line abutting on a street; provided however, that nothing contained in this paragraph D shall be deemed to apply to any off-street parking space or driveway hereto for any single family dwelling unit. All parking lots shall have curbs and curbside parking spaces of a sufficient location to keep vehicles from overhanging or encroaching upon adjoining properties, streets, alleys or

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Date June 12, 1974Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } as:Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of theJOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and publishedin the English language in the city } of FORT WAYNE, INDIANA  
towardin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time/s, the dates of publication being as follows:6/5-12/74Subscribed and sworn to before me this 12th day of June, 19 74Edith Stapleton  
Notary PublicMy commission expires March 11, 1978

Notice is hereby given that on the 28th day of May, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-10-17 following 2-10-74 Ordinance, to-wit:

**BILL NO. 2-10-17**  
**ZONING ORDINANCE NO. 2-10-74**  
**AN ORDINANCE amending Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne.**

Indiana pertaining to Parking Area Improvement.  
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 8D of Article II of the Fort Wayne Municipal Code, Chapter 36, is hereby repealed and in Municipal Code Chapter 36 is hereby enacted as follows:

Section 8—General Use Provision

D. Parking area improvement.

(1) The Board of Public Works of the City of Fort Wayne is hereby authorized and required to prescribe minimum specifications for paving, surfacing, drainage of all land used for off-street parking, whether required by this Chapter or otherwise, and all driveways thereto.

(2) All land which is hereafter placed in use for off-street parking and all driveways thereto, and all land which has been put to such use since on or after December 3, 1969, and which is hereafter to be used for off-street parking, shall be paved or surfaced and shall be drained with materials in a manner which meets the minimum specifications and standards for parking lots adopted December 2, 1969, by the Board of Public Works of the City of Fort Wayne, and any current or future amendments thereto by said Board; provided, however, that nothing contained in this paragraph D shall be deemed to require the paving of any off-street parking space or driveway thereto for any dwelling unit. Any proposed drainage plan must be approved by the Board of Public Works prior to the issuance of any Driveway Access Permit.

(3) All land which is located within the boundaries of St. Mary's River on the North, Clay Street on the East, Penn Central Railroad on the South, and Fairfield Avenue on the West in the City of Fort Wayne, Indiana, which has been and/or hereafter is used for off-street parking, and

all driveways thereto, must be paved or surfaced and drained as provided in the preceding paragraph.

(4) All land which is hereafter used and has been used continuously for off-street parking and for driveways thereto, on or prior to December 2, 1969, must be surfaced with compacted crushed stone of uniform size and texture of not less than three (3) inches depth and in a manner which prevents such material from eroding, washing or otherwise being deposited on public sidewalks and street rights-of-way. Any continuing violation of this paragraph for a period of ninety (90) days after notice of such violation has been mailed by the Board of Works to the Owner of the land as shown on the tax duplicates in the Office of the Assessor of Allen County, Indiana, shall constitute a nuisance in violation of this chapter, shall be unlawful, and such use shall be subject to all penalties provided in this chapter; provided however, that nothing contained in this paragraph shall be deemed to require the paving of any off-street parking space or driveway thereto for any dwelling unit.

(5) All land in or adjoining an R or B District which is hereafter placed in use for off-street parking, except for any dwelling unit, shall be landscaped to aid in controlling the circulation of cars and pedestrians, to identify entrances and exits and to improve the appearance of such use to maintain property values in the area and the following specific landscaping requirements must be satisfied:

(a) All open, off-street parking areas shall provide and maintain shade trees of a variety hardy to this region and totaling not less than 1 per cent of the surfaced parking area. The minimum size tree (diameter) shall not be less than 70 square feet.

(b) Screening, consisting of a hedge, wall, or uniformly pointed fence to provide a visual separator and physical

barrier with maximum height of four feet shall be provided between said off-street parking and all R and B areas. These lots adjacent to a residential district shall provide screening between such land and the R district not less than six feet in height.

(c) The total landscaped (green) area for any parking lots shall not be less than 10 per cent of the gross area developed. The owner shall be responsible for the perpetual maintenance of the green space.

(6) Set-Backs — All land used for off-street parking in districts for which front yards are required by this Chapter shall be located not less than five feet from any property line abutting on a street; provided however, that nothing contained in this Paragraph D shall be deemed to apply to any off-street parking space or driveway thereto for any single family dwelling unit. All parking lots shall have curbs and perimeters of a sufficient location to keep vehicles from overhanging or encroaching upon abutting properties, streets, alleys or sidewalks. Curbs are also to be used to facilitate drainage and insure no discharge of water onto abutting properties.

(7) Lighting — Any light used to illuminate land used for off-street parking or driveways thereto shall be installed on private property and maintained so as to reflect the light away from any adjoining R District. It shall also be designed to avoid glare into street rights-of-way.

(8) Permit — Any person constructing a parking lot pursuant to the provisions hereafter the effective date of this ordinance shall obtain an improvement violation permit. Said permit shall be issued after applicant has submitted evidence that his proposed off-street parking area meets the

intents hereby said Board, provided, however, that nothing herein contained in this ordinance shall be deemed to require the providing of any off-street parking space for any dwelling unit, or driveway thereto for any dwelling unit. Any proposed drainage plan must be approved by the Board of Public Works prior to the issuance of any Driveway Access Permit.

(3) All land which is located within the boundaries of St. Mary's River on the North, Clay Street on the East, Penn Central Railroad on the South, and Fairfield Avenue on the West in the City of Fort Wayne, Indiana, which has been and/or hereafter is used for off-street parking, and

all driveways thereto, must be paved or surfaced and drained as provided in the preceding paragraph.

(4) All land which is hereafter used and has been used continuously for off-street parking and for driveways thereto, on or prior to December 2, 1969, must be surfaced with compacted crushed stone of uniform size and texture of not less than three

(3) inches depth and in a manner which prevents such material from eroding, washing or otherwise being deposited on public sidewalks and street rights-of-way. Any continuing violation of this paragraph for a period of ninety (90) days after notice of such violation has been mailed by the Board of Works to the Owner of the land as shown on the tax duplicate in the Office of the Assessor of Allen County, Indiana, shall constitute a nuisance in violation of this chapter, shall be unlawful, and such use shall be subject to all penalties provided in this chapter; provided however, that nothing contained in this paragraph shall be deemed to require the paving of any off-street parking space or driveway thereto for any dwelling unit.

(5) All land in or adjoining an R or B District which is hereafter placed in use for off-street parking, except for any dwelling unit, shall be landscaped to aid in controlling the circulation of cars and pedestrians, to identify entrances and exits, and to improve the appearance of such use to maintain property values in the area and the following specific landscaping requirements must be satisfied:

(a) All open, off-street parking areas shall provide and maintain shade trees of a variety hardy to this region and totaling not less than 1 per cent of the surfaced parking area. The minimum size tree (diameter) shall not be less than 70 square feet.

(b) Screening, consisting of a hedge, wall or uniformly planted fence 1 1/2 to 2 feet high, shall be provided to provide a visual separator and physical

barrier with maximum height of four feet shall be provided between said off-street parking and all R and B areas. These lots adjacent to a residential district shall provide screening between such lots and the R district not less than six feet in height.

(c) The total landscaped (green) area for any parking lots shall not be less than 10 per cent of the gross area developed. The owner shall be responsible for the perpetual maintenance of the green space.

(d) Set-Backs — All land used for off-street parking in districts for which front yards are required by this Chapter shall be located not less than five feet from any property line abutting on a street; provided, however, that nothing contained in this Paragraph D shall be deemed to apply to any off-street parking space or driveway thereto for any single family dwelling unit. All parking lots shall have curbs around perimeters of a sufficient location to keep vehicles from overhanging or encroaching upon abutting properties, streets, alleys or sidewalks. Curbs are also to be used to facilitate drainage and insure no discharge of water onto abutting properties.

(f) Lighting — Any light used to illuminate land used for off-street parking or driveways thereto shall be installed on private property and maintained so as to reflect the light away from any adjoining R District. It shall also be designed to avoid glare into street rights-of-way.

(g) Permit — Any person constructing a parking lot pursuant to the provisions herein in order the effective date of this ordinance shall obtain an Improvement Violation permit. Said permit shall be issued after applicant has submitted evidence that his proposed off-street parking area improvement shall comply with provisions herein.

SECTION 2. In all other respect except as herein repeated said Section 8, Article 11 of Chapter 35 of the Municipal Code of the

City of Fort Wayne, Indiana, shall be in full force and effect.

SECTION 3. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any part, section, clause, provision, or portion of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

John Nuckols

Councilman

Read the third time in full and on motion by Nuckols, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven  
Hings, Kraus, Nuckols, D. Schmidt, V. Schmidt, Siler, Tolarico  
Nays: Two  
Burns, Moses  
Dole, 5-26-74

Charles W. Westerman

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-10-74 on the 28th day of May, 1974.

ATTEST: (SEAL)  
Charles W. Westerman  
City Clerk

Samuel J. Talarico

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman

City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Ordinance No. Z-10-74 passed by the Common Council on the 28th day of May, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of May, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of May, 1974.

CHARLES W. WESTERMAN

CITY CLERK



Common Council of Ft. Wayne,  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

208

2

210

## COMPUTATION OF CHARGES

210 lines, 1 columns wide equals 210 equivalent lines at .288¢ cents per line

\$ 60.48

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 62.48

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 12, 1974

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

6/5-12/74

Subscribed and sworn to before me this 12th day of June 1974

My commission expires March 11, 1978

Notary Public

OF  
HERE

Notice is hereby given that on the 28th day of May, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Resolution (6) Set-Backs — All land used for off-street parking in districts for which front yards are required by this Chapter shall be located not less than five feet from any property line abutting on a street; provided

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6C Fort Wayne Journal-G

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